

IC 33-23-12

Chapter 12. Political Activity of Court Employees

IC 33-23-12-1

Legislative findings

Sec. 1. The general assembly finds that:

- (1) the right of every citizen to freely participate in political activity is inherent in the guarantee of free speech contained in Article 1, Section 9 of the Constitution of the State of Indiana and in Amendment I to the Constitution of the United States;
- (2) the right to freely participate in political activity is guaranteed to state employees under IC 4-15-10-2;
- (3) the judiciary is not less subject to constitutional strictures against governmental interference with the free exercise of speech than are the executive and legislative branches of government; and
- (4) employees in the judicial branch of state government have the same rights guaranteed to all Indiana citizens.

As added by P.L.98-2004, SEC.2.

IC 33-23-12-2

"Court employee" defined

Sec. 2. (a) As used in this chapter, "court employee" means a person employed by any of the following:

- (1) The supreme court.
- (2) The court of appeals.
- (3) The tax court.
- (4) A circuit court.
- (5) A superior court.
- (6) A juvenile court.
- (7) A probate court.
- (8) A county court.
- (9) A municipal court.
- (10) A city or town court.
- (11) A small claims court.

(b) The term does not include a judge of any of the courts listed in subsection (a)(1) through (a)(11).

As added by P.L.98-2004, SEC.2.

IC 33-23-12-3

Right to participate in or abstain from political activity

Sec. 3. Except when on duty or acting in an official capacity and except where otherwise provided by state or federal law, a court employee may not be:

- (1) discouraged from engaging in political activity; or
- (2) denied the right to choose to refrain from engaging in political activity.

As added by P.L.98-2004, SEC.2.